

*TRW* 2161



Docket No.: 35646-175183  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Rob R. Montgomery

Application No.: 09/963,742

Confirmation No.: 9308

Filed: September 27, 2001

Art Unit: 2161

For: **BUYER-SIDE AUCTION DYNAMIC  
PRICING AGENT, SYSTEM, METHOD  
AND COMPUTER PROGRAM PRODUCT**

Examiner: Unknown

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97(b)(3) and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is believed to be filed before the mailing date of the first Office Action on the merits. (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 35646-175183. A duplicate copy of this paper is enclosed.

Dated: April 27, 2006

Respectfully submitted,

By 

**Ralph P. Albrecht**

Registration No.: 43,466

VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)

746149



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<b>Complete if Known</b>	
				Application Number	09/963742-Conf. #9308
				Filing Date	September 27, 2001
				First Named Inventor	Rob R. Montgomery
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	35646-175183

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA*	US-20050262009-A1	11-24-2005	Han et al.		
AB*	US-20050228745-A1	10-13-2005	McHale et al.		
AC*	US-20050091140-A1	04-28-2005	Sloan et al.		
AD*	US-20050010520-A1	01-13-2005	Dinwoodie		
AE*	US-20040088241-A1	05-06-2004	Rebane et al.		
AF*	US-20030233315-A1	12-18-2003	Byde et al.		
AG*	US-20030130927-A1	07-10-2003	Kellam et al.		
AH*	US-20030093357-A1	05-15-2003	Guler et al.		
AI*	US-20050240507-A1	10-27-2005	Galen et al.		
AJ*	US-20050234798-A1	10-20-2005	Du Preez et al.		
AK*	US-20050209952-A1	09-22-2005	Takahashi et al.		
AL*	US-20040128224-A1	07-01-2004	Dabney et al.		
AM*	US-20040039680-A1	02-26-2004	Horch et al.		
AN*	US-20020069156-A1	06-06-2002	Adam et al.		
AO*	US-200110056396-A1	12-27-2001	Goino		
AP*	US-200110034696-A1	10-25-2001	McIntyre		
AQ*	US-6,499,018	12-24-2002	Alaia et al.		
AR*	US-6,408,283	06-18-2002	Alaia et al.		
AS*	US-6,718,312	04-06-2004	McAfee et al.		
AT*	US-5,794,219	08-11-1998	Brown		
AU*	US-6,813,612	11-02-2004	Rabenold et al.		
AV*	US-6,871,190	03-22-2005	Seymour et al.		
AW*	US-6,598,028	07-22-2003	Sullivan et al.		
AX*	US-6,520,409	02-18-2003	Mori et al.		
AY*	US-6,871,191	03-22-2005	Kinney, Jr. et al.		
AZ*	US-20020147675-A1	10-10-2002	Das et al.		
AA1*	US-20020082971-A1	06-27-2002	Le et al.		
AB1*	US-20020042769-A1	04-11-2002	Gujral et al.		

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	EP-1 199 663 A2		04-24-2002	NCR International Inc.	
BB	WO-2005/073882 A1		08-11-2005	DuPreez, Anthony	
BC	WO-2005/001597 A2		01-06-2005	Copart, Inc.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(e)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered
--------------------	--	-----------------



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	09/963742-Conf. #9308
				Filing Date	September 27, 2001
				First Named Inventor	Rob R. Montgomery
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	35646-175183

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	CA	The Wall Street Journal, "When 'Snipers' Do Your Online Bidding for You," WSJ.com, January 5, 2006, p.D3		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

746150

Examiner Signature		Date Considered	
--------------------	--	-----------------	--